IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
WRIT PETITION NO.5420 OF 1999

Shri Suresh Tatoba Koli,
aged adult, Yelur High School,
Yelur Taluka Walwa,
District Sangli. .... Petitioner

- Versus -

1. The State of Maharashtra
   through its Secretary,
   Tribal Development Department,
   Mantralaya, Mumbai-400 032.

2. The Chairman,
   Committee for Scrutiny and
   Verification of Tribe Claims,
   M.S., Pune, 28, Queens
   Garden, Pune-411 001.

3. Principal,
   Shri Shivaji Junior College
   of Education, Islampur,
   Taluka Walawa, Dist: Sangli.

4. Secretary,
   Walawa Taluka Education
   Institute, Islampur,
   Taluka Walawa, Dist: Sangli. .... Respondents

Shri R.K. Mendadkar, Advocate, for the
Petitioner.

Shri C.R. Sonawane, Asst. Government Pleader,
for the Respondent Nos.1 and 2.

AND

WRIT PETITION NO.541 OF 2001

Shri Subhash Balbhim Koli,
adult, RB-2, Building No.11/245,
Modi Solapur, District: Solapur. .... Petitioner

- Versus -

1. State of Maharashtra
   through its Secretary,
   Tribal Development Department,
   Mantralaya, Mumbai-400 032.

2. The Chairman,
   Committee for Scrutiny and
   Verification of Tribe Claims,
   Pune.

3. Principal,
   Shri Basavaraj High School,
   Karajgi, Taluka Akkalkot,
   District: Solapur. .... Respondents

Shri R.K. Mendadkar, Advocate, for the Petitioner.

Shri C.R. Sonawane, Asst. Government Pleader, for the Respondent Nos.1 and 2.

CORAM: R.M.S. KHANDEPARKAR &
NARESH H. PATIL, JJ.

DATED: AUGUST 21, 2006

ORAL JUDGMENT (Per R.M.S. Khandeparkar, J.):

Heard. By consent, the impugned orders are hereby set aside and the matters are remanded to the respondent No.2 in both the petitions to decide the caste claim of the respective petitioners afresh and in accordance with the provisions of law. In order to enable the caste scrutiny committee to consider the caste claim of the respective petitioners, they are to appear before the caste scrutiny committee on 19-9-2006 at 11:00 a.m. for further proceedings. The scrutiny committee to decide the said claim within a period of six months from the date of appearance of the claimants.

In case the order/orders to be passed happens/happen to be adverse to the interest of the petitioner/s, same shall not be given effect to for a period of four weeks from the date of communication of the order/s to the petitioner/s. The rule is made absolute accordingly with no order as to costs.

(Naresh H. Patil, J.) (R.M.S.Khandeparkar, J.)

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